

## **HIGH COURT OF UTTARANCHAL AT- NAINITAL.**

Civil Contempt Case no. 74 of 2005

1. Ravindra Jugran S/o Sri Umakant Jugran,  
R/o 55, East Canal Road, Dehradun,
2. Narendra Kumar Jaguri S/o Sri Ganpati Prasad Jaguri,  
R/o Jaguri Bhawan, Ladari, Uttarkashi,
3. Deepak Rawat S/o Gabar Singh,  
R/o New Baurari, P.O. Ikoti,  
K.P. Area Athurwala, District Dehradun. ....Petitioner.

Vs.

1. Lt. Gen. (Retd.) G.S. Negi,  
posted as Chairman Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar,
  2. Sri N.K. Joshi, Secretary,  
Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar,
  3. Dr. Sudha Pandey, Member,  
Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar,
  4. Sri Madam Mohan Harbola, Member,  
Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar
  5. Sri N.S. Rawat, Member,  
Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar,
  6. Sri Chandra Shekhar Bhatt Examination Controller,  
Public Service Commission,  
Uttaranchal Ayog Bhawan Gurukul Kangari, Haridwar.
- .....Respondents.

Sri Arvind Vashishtha, learned counsel for the applicant/contempt petitioner.  
None for the respondents.

### **Hon'ble M.M. Ghildiyal, J.:**

Heard Sri Arvind Vashishtha, learned counsel for the applicant/Contempt Petitioner.

By means of this Contempt Petition, the applicant has prayed that the respondents may be punished for committing contempt of this Hon'ble Court's order passed on 14<sup>th</sup> October 2004 in Civil Misc. Writ Petition no. 236(S/B) 2004 Ravindra Jugran & ors. vs. State of Uttaranchal & ors.

It is contended that the Uttaranchal Public Service Commission conducted an examination for Uttaranchal Combined Civil Services (Pre) Examination 2002 for which

Uttarkashi was one of the center. The petitioner nos. 2 & 3 have to appear in the Examination. Before the date of this examination there occur heavy rain, which resulted land sliding in the city of Uttarkashi, consequently demand was raised by the candidates who have to appear in the examination at Uttarkashi for postponement of the examination but the respondents took no action. The petitioners filed writ petition no. 236(S/B) 2004 with a prayer that the result of said examination may not be declared. This Court on 14.10.2004 passed an order that “by way of interim relief, the results, if declared, shall be subject to the result of this writ petition.”

Contention of the petitioner is that even after passing of the order by this Court, the Public Service Commission has declared the results on 31<sup>st</sup> March 2005, however in the results, the respondents have not notified that this result shall be subject to the decision of this writ petition and, as such, the respondents have committed contempt for this Hon’ble Court’s order dated 14.10.2004.

I do not find force in the submission made by learned counsel for the applicants. This Court has passed order that by way of interim relief, the results, if declared, shall be subject to the result of this writ petition. The writ petition is still pending and there was no such order not to publish the results or in the results, if published, it should have mentioned that the results shall be subject to the decision of this writ petition. On the other aspects, the result so declared would always be subject to the decision of the writ petition.

The contempt petition lacks merit and, as such, is rejected in limine.

**(M.M. Ghildiyal, J.)**

Nainital:

April 25, 2005:

NCM: